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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/008,266	10/29/2001	John D. Smith	PC-1059CIP	4315	
23717	7590 08/15/2	03			
LAW OFFICES OF BRIAN S STEINBERGER			EXAM	EXAMINER	
101 BREVA COCOA, FL	RD AVENUE 32922		MORANO IV	MORANO IV, SAMUEL J	
			ART UNIT	PAPER NUMBER	
			3617		
			DATE MAILED: 08/15/2003	DATE MAILED: 08/15/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)				
		10/008,266	SMITH				
	Office Action Summary	Examiner	Art Unit				
		Long B Nguyen	3617				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
THE N - Exten after S - If the - If NO - Failur - Any re	DRTENED STATUTORY PERIOD FOR REPL'MAILING DATE OF THIS COMMUNICATION. MAILING DATE OF THIS COMMUNICATION. SIX (6) MONTHS from the mailing date of this communication. Period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period verto reply within the set or extended period for reply will, by statute sply received by the Office later than three months after the mailing dipatent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however within the statutory minimu ill apply and will expire SIX cause the application to be	may a reply be timely filed m of thirty (30) days will be considered time (6) MONTHS from the mailing date of this of	ly. communication.			
1)⊠	Responsive to communication(s) filed on 03.						
2a) <u></u> □	,—	is action is non-fina					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims							
•	Claim(s) 1-19 is/are pending in the application	ı .					
,	4a) Of the above claim(s) is/are withdra	wn from considerati	on.				
5)⊠	Claim(s) 19 is/are allowed.						
6)⊠	Claim(s) 1 is/are rejected.						
7)⊠	Claim(s) 2-18 is/are objected to.						
8) Claim(s) are subject to restriction and/or election requirement.							
Application Papers							
•	The specification is objected to by the Examine						
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11)☐ The proposed drawing correction filed on is: a)☐ approved b)☐ disapproved by the Examiner.							
If approved, corrected drawings are required in reply to this Office action.							
,	The oath or declaration is objected to by the Ex	caminer.					
_	ınder 35 U.S.C. §§ 119 and 120						
	Acknowledgment is made of a claim for foreig	n priority under 35 l	J.S.C. § 119(a)-(d) or (f).				
a)	☐ All b)☐ Some * c)☐ None of:						
	1. Certified copies of the priority documen						
	2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.							
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).							
a) ☐ The translation of the foreign language provisional application has been received. 15)☑ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.							
Attachmen							
1) Notic	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) 🔲 1	nterview Summary (PTO-413) Paper N Notice of Informal Patent Application (F Other:	lo(s) 'TO-152)			
U.S. Patent and	Frademark Office Office A	ction Summary	Part of Paper No.	7			

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

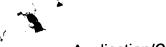
A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Defreitas.
 With respect to claim 1, Defreitas discloses a removable decorative wheel cover
 11 in Figures 2-3 for covering wheel hubs on moving vehicles, comprising a thin rigid and pliable disc 11 for substantially covering an existing wheel hub of a moving vehicle, the disc 11 having a blank surface portion for allowing an indicia
 15 to be selectively added by a user, and a fastener 17 on one side of the disc for allowing the disc to removably attached to the existing wheel hub of the moving vehicle.

Allowable Subject Matter

- 3. Claims 2-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
- Claim 11 is allowed.

Conclusion



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Long B Nguyen whose telephone number is 703.305.5201. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel Morano can be reached on 703.308.0230. The fax phone numbers for the organization where this application or proceeding is assigned are 703.872.9326 for regular communications and 703.305.5201 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.308.1113.

lbn August 10, 2003

S. JOSEPH MORANO SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2600